

STATEMENT UNDER 37 CFR § 3.73(b)

Witness Systems, Inc. states that it is:

- ☒ the assignee of the entire right, title, and interest; or
☐ an assignee of an undivided part interest

in the present patent application/patent by virtue of either:

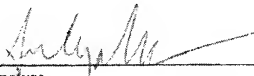
- A. ☒ An assignment of the patent application/patent identified below.
- ☒ 1. The assignment was recorded in the Patent and Trademark Office at:
- | Serial No. | Reel | Frame(s) |
|------------|--------|----------|
| 10/052,349 | 016611 | 0817 |
- ☐ 2. The assignment has not yet been recorded. A copy of the assignment is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:
- ☐ Additional documents in the chain of title are listed on a supplemental sheet.
- ☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: December 5, 2008



Signature
Name: Andrew T. Pham
Title: Assistant General Counsel, Global
Intellectual Property